



CITY OF SUFFOLK

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PHONE: (757) 514-4060 FAX: (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
Division of Planning

September 20, 2022

Suffolk Planning Commission
City of Suffolk, Virginia

Dear Commissioners:

Attached for your consideration is information pertaining to Rezoning Request, RZN2022-007, (Conditional), Ellis Farm, submitted by Bob Arnette, Manning Road Development Group, LLC, applicant, on behalf of Coastal Virginia Partners, LLC, contract purchaser, on behalf of Ellis Freehold, LLC, property owner, in accordance with Sections 31-304 and 31-305 of the Unified Development Ordinance, to rezone the official zoning map of the City of Suffolk to change the zoning from A, Agricultural zoning district, to RLM, Residential Low-Medium Density (Conditional) zoning district, for property located at 494 Manning Road, Zoning Map 33, Parcels 75 and 75A. The affected area is further identified as being located in the Holy Neck Voting Borough, zoned A, Agricultural zoning district. The 2035 Comprehensive Plan designates this area as part of the Central Growth Area, Suburban Use District.

Information and maps pertaining to this request are attached for your consideration. Please contact either myself or Brittany Colyer, the staff planner handling this case, if you have any questions in advance of the meeting.

Respectfully submitted,

Kevin Wyne, AICP
Interim Director of Planning and Community Development

STAFF REPORT

DESCRIPTION

REZONING REQUEST: Rezoning Request, RZN2022-007 (Conditional), Ellis Farm, a request to change the zoning from A, Agricultural zoning district, to RLM, Residential Low-Medium Density zoning district (Conditional), for property located at 494 Manning Road, Zoning Map 33, Parcels 75 and 75A.

APPLICANT: Bob Arnette, Manning Road Development Group, LLC, applicant, on behalf of Coastal Virginia Partners, LLC, contract purchaser, on behalf of Ellis Freehold LLC, property owner.

LOCATION: The subject properties consist of T.M. 35*75 and 35*75A which are a combined size of approximately 114 acres. The properties are located on Manning Road approximately one-half mile south of the intersection of Manning Road and Holland Road (Route 58) business corridor.

PRESENT ZONING: T.M. 35*75 and T.M. 35*75A are currently zoned A, Agricultural zoning district.

EXISTING LAND USE: The property is presently vacant and comprised of fields and forested lands.

PROPOSED LAND USE: The applicant proposes to rezone the property from A, Agricultural zoning district to RLM, Residential Low-Medium Density zoning district (Conditional), for the purpose of developing a single-family detached development. The applicant has voluntarily proffered a maximum of 300 single-family detached units.

SURROUNDING LAND USES:

- North – Speights Run Reservoir
- South – Single-family detached homes, fields, and forested lands zoned A, Agricultural
- East – Lake Speight Colony Neighborhood zoned RLM, Residential Low-Medium Density zoning district.
- West – Springfield Neighborhood zoned RLM, Residential Low-Medium Density zoning district.

COMPREHENSIVE PLAN: The City's 2035 Comprehensive Plan designates this area as part of the Central Growth Area, Suburban Use District.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: The property is located within the City's Chesapeake Bay Preservation Area Overlay District (CBPA) and is designated as a Resource Management Area (RMA). The 100' Resource Protection Area (RPA) buffer is also present along the northeastern boundary of T.M. 33*75.

FLOOD PLAIN: The property falls within Flood Zone A and Zone X, as shown on Panel 0210D of the Flood Insurance Rate Map for the City of Suffolk, Virginia, Community No. 510156, dated November 16, 2011.

PUBLIC NOTICE: This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance. A notice, containing a copy of the staff report, was also provided to the applicant on September 16, 2022.

HISTORY: The subject property is currently vacant. Tax Parcel 33*75 was created circa 1877, as outlined in Nansemond County Deed Book 6, page 180. Tax Parcel 33*75A was created circa 1943, as outlined in Nansemond County Deed Book 148C, Page 63.

STAFF ANALYSIS

ISSUE

The applicant proposes to conditionally rezone approximately 114 acres of property located at 494 Manning Road, Zoning Map 33, Parcels 75 and 75A, from the existing A, Agricultural zoning district, to the RLM, Residential Low-Medium Density district (Conditional). The purpose of the rezoning is to allow for a maximum of 300 single-family detached dwelling units for a gross density of roughly 2.8 dwelling units per acre rather than the existing density that is permitted of 1 unit per acre. This site is situated approximately one-half mile south of the intersection of Manning Road and Holland Road (Route 58) business corridor, with a portion of the parcel being bisected by a railroad. The provided conceptual layout does not show that there will be any development on the portion south of the railroad; however, both sections are included as part of this rezoning request.

CONSIDERATIONS AND CONCLUSIONS

In accordance with Appendix B, Section B-4 of the Unified Development Ordinance, rezoning applications must include a statement of the reasons for seeking an amendment to the zoning maps of the City of Suffolk. The applicant stated that this request aligns with the 2035 Comprehensive Plan as this site is located within the Suburban Use District within the Central Growth Area where single-family detached forms of development are encouraged where adequate public facilities are available.

1. Comprehensive Plan

According to the 2035 Comprehensive Plan, the subject property is located within the Central Growth Area, Suburban Use District. The Suburban Use District is intended to primarily be composed of traditional residential subdivisions. Single-family dwellings are the most common use found in this district. Neighborhoods should be designed with sidewalks and be pedestrian friendly at a recommended density of 1-5 dwelling units per acre. Retail uses in this district are primarily neighborhood-scale centers. Civic buildings and community facilities are also appropriate. -scale centers. Civic buildings and community facilities are also appropriate.

As previously stated, the proffered number of 300 dwellings as a part of this rezoning request would result in a gross density of 2.8 units per acre, which falls within the recommended density for the Suburban Use District. The requested RLM (Conditional) zoning district and proffered unit count are found to be compatible with the surrounding development use patterns.

The Comprehensive Plan sets specific themes and policies related to land use, transportation, open space, and the environment that should be considered when contemplating a rezoning application. It is staff's opinion that the requested rezoning to the RLM, Residential Low-Medium Density zoning district (Conditional), is consistent with the policies of the 2035 Comprehensive Plan. Relevant to this application are the following:

Policy 2-1: Keep development focused in designated Growth Areas in the City.

- *Action 2-1A: Ensure that the City's land use regulations support higher density/intensity development in focused Growth Areas.*

The proposed rezoning from A, Agricultural, to RLM, Residential Low-Medium Density (Conditional), would result in an increase in the permitted residential density for the subject properties within the Central Growth Area, Suburban Use District. Thus, this rezoning aligns with Action 2-1A.

Policy 2-2: Assure that development occurs in a predictable and orderly manner.

The surrounding area on Manning Road is primarily comprised of low to medium density residential uses that were developed prior to the adoption of the 2035 Comprehensive Plan. This site would be developed at a low to moderate density and is a good balance of accommodating the recommendations of the Suburban Use District. The proposed rezoning to RLM, in conjunction with the proffered number of 300 dwelling units, is expected to continue predictable and orderly development in this area as outlined by the Comprehensive Plan.

Policy 2-4: Promote compatibility in land use patterns.

The proposed rezoning to the RLM (Conditional) district and the maximum density of roughly 2.8 dwelling units per acre is found to be compatible with nearby established neighborhoods.

Policy 4-1: Provide opportunities for residents to adopt a lifestyle that is less dependent on auto travel.

- *Action 4-1A: Focus development in the two Suburban/Urban Growth Areas based on the densities shown in Chapter 3.*

The proffered density of 2.8 units per acre falls within the recommended density for the Suburban Use District. Further, moderate-density residential development at this site should offer additional support for commercial uses along the Holland Road (Route 58) Business Corridor and the downtown area.

Policy 6-1: Encourage development of a balanced and diverse housing stock throughout the City.

- *Action 6-1A: Ensure that the City's land use regulations allow for a variety of housing types, such as single-family detached, single-family attached, and multi-family.*

The requested change in zoning would allow for an increase in density at the subject property which currently allows only one dwelling unit per acre. The proposed rezoning is more compatible with the Comprehensive Plan than the existing Agricultural zoning designation for the property.

2. Unified Development Ordinance

Section 31-403 of the Unified Development Ordinance provides a purpose statement for each zoning district to assist in evaluating the compatibility of any rezoning request. The purpose of the RLM district is to allow for low-medium density, single-family residential uses where adequate public facilities and services exist or are planned with capacity to serve development. Residential low-medium density provides a flexible minimum and maximum lot size in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive land areas. RLM zoning is most appropriate for the Suburban Use District. Applicable Place Types: Traditional Neighborhood Center, Traditional Neighborhood, Suburban Neighborhood, Corridor, and Special District.

3. Adequate Public Facilities

The purpose and intent of the adequate public facilities ordinance is to ensure that public facilities are available to support new development and associated impacts and that each public facility meets or exceeds the Level of Service standards established by the 2035 Comprehensive Plan and the Unified Development Ordinance. No rezoning request or proffer amendment should be approved which would cause a reduction in the levels of service standards for any public facility impacted. The public facilities impacted by the proposed development are discussed individually below.

Public Water and Sanitary Sewer

Based on the information provided, the Department of Public Utilities has no objections to this request. A Public Facilities Report was provided and demonstrated that there is adequate water and sewer levels of service and availability.

Stormwater Management

Based on the information provided, the Department of Public Works Engineering has no objections to this rezoning. An Environmental Site Assessment and Major Water Quality Impact Assessment were provided as a part of this request.

Transportation

The applicant's Traffic Impact Study states that the proposed development is expected to generate 172 peak a.m. vehicular trips and 292 peak p.m. vehicular trips. The Department of Public Works, Traffic Engineering Division, reviewed the Traffic Impact Study (TIS) and associated voluntary proffers and found them both to be acceptable. Proffer #4, as presented, directly addresses traffic-related improvements and reads as follows:

- Proffer #4
The property owner shall make road improvements as outlined in the approved Traffic Impact Study (TIS), prepared by Charles Smith, P.E., PTOE EPR, updated June 2022. All road improvements proffered shall be completed or bonded before the first certificate of occupancy.

Schools

The subject property is currently assigned to Kilby Shores Elementary School, Forest Glen Middle School, and Lakeland High School. The developer is given credit for the school impacts that would be associated with a by-right development on the subject property. The current Agricultural zoning district could yield a total of no more than four (4) single-family detached dwelling units by-right through a minor subdivision. A development of four (4) single-family detached dwelling units would generate one (1) student at the high school, middle school, and elementary school levels. After subtracting the students that may be generated by a by-right development, the net impact of this rezoning request when subtracting the credit for the potential by-right development would be 53 elementary school students, 29 middle school students, and 39 high school students. After considering the current student enrollment, the total committed development, and the net students that are expected to be generated from the proposed development, the high school has sufficient capacity to absorb the additional students generated by this proposal; however, at the elementary and middle school, there is a deficit.

The current FY2022-2031 Capital Improvements Program in effect at the time of this application allows for cash proffers to be paid in order to advance capacity at the elementary and middle school levels. In order to properly mitigate for impacts to the elementary school levels, the applicant would need to provide a total cash contribution of \$1,902,729.25, divided by 53 elementary school students equates to a cost of \$35,900.55 per student or \$6,342.43 per housing unit. Additionally, in order to properly mitigate for impacts to the middle school level, the application would need to provide a total cash contribution of \$1,219,902.40, divided by 29 students equates to a cost of \$42,065.60 per student or \$4,066.34 per housing unit. The developer has proffered this amount as part of proffer statement #1, as shown in the attached Exhibit "B".

4. Fiscal Impact Analysis

A Fiscal Impact Analysis was submitted in support of this rezoning. The FIA states that a positive net fiscal impact of roughly \$694,000 per year is anticipated after build out.

5. Proffered Conditions

The applicant has proffered six conditions in support of this request. The first proffer pertains to school contributions as discussed above. The second proffer limits the development to a maximum of 300 single-family detached dwellings. Proffer #4 pertains to traffic improvements, which were outlined in the Transportation section of this report,

and proffers #3, #5, and #6 pertain to building materials. Please refer to the attached proffer statement.

RECOMMENDATION

In summary, the proposed rezoning of parcels 33*75 and 33*75A from the A, Agricultural zoning district, to the RLM, Residential Low-Medium Density zoning district (Conditional), is consistent with the policies of the 2035 Comprehensive Plan. The proposed density of roughly 2.8 units per acre is expected to be compatible with the surrounding land uses. Therefore, staff recommends **approval** of Rezoning Request, RZN2022-007 (Conditional), with the proffers as submitted.

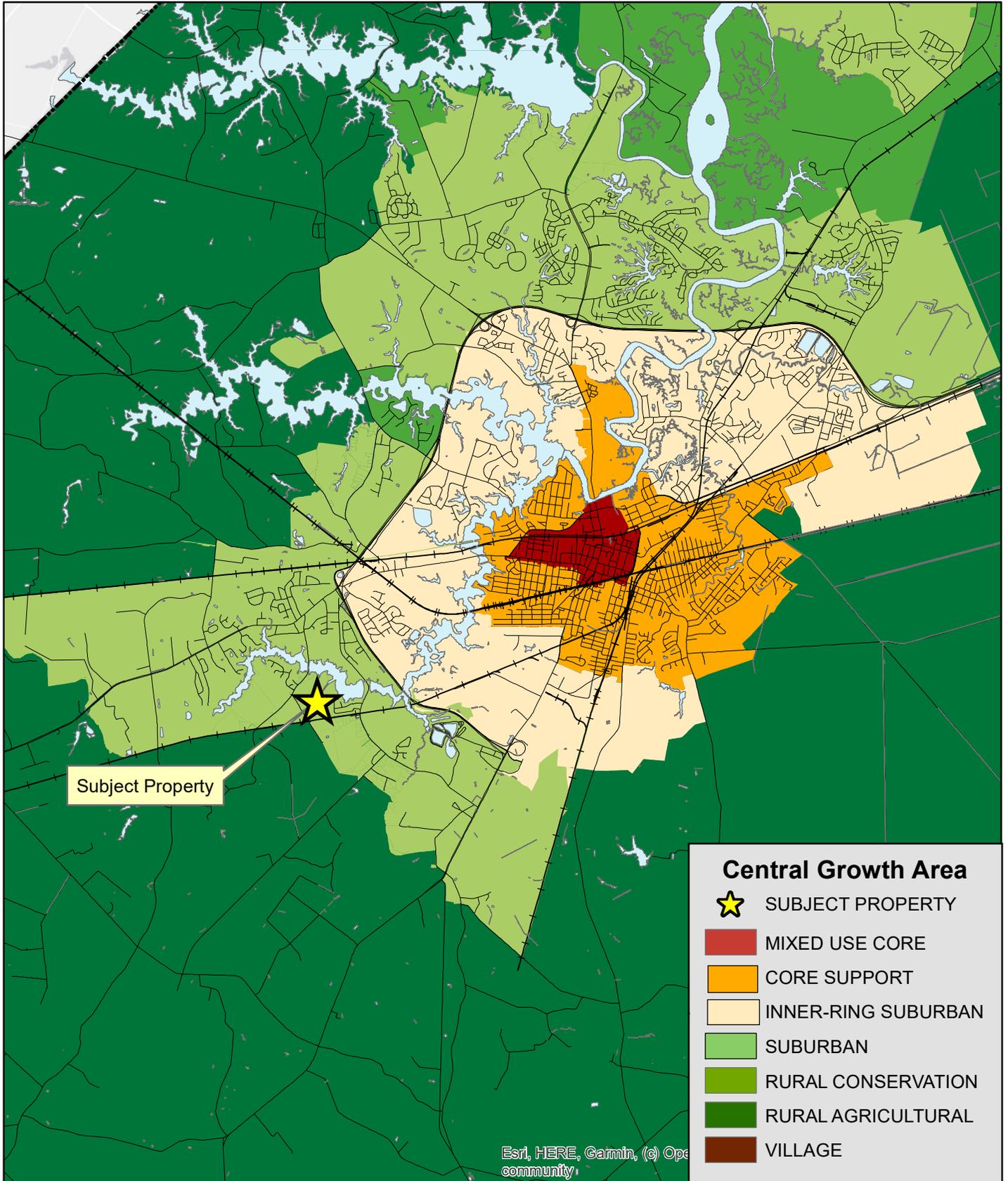
Attachments

- General Location Map
- Zoning/Land Use Map
- Ellis Farm Subdivision (narrative)
- Ellis Farm Conceptual Master Plan
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Voluntary Proffer Statement
- Exhibit C – Property Map
- Exhibit D – Rezoning Exhibit



GENERAL LOCATION MAP

RZN2022-007



Subject Property

Central Growth Area

- ★ SUBJECT PROPERTY
- MIXED USE CORE
- CORE SUPPORT
- INNER-RING SUBURBAN
- SUBURBAN
- RURAL CONSERVATION
- RURAL AGRICULTURAL
- VILLAGE

Esri, HERE, Garmin, (c) OpenStreetMap contributors

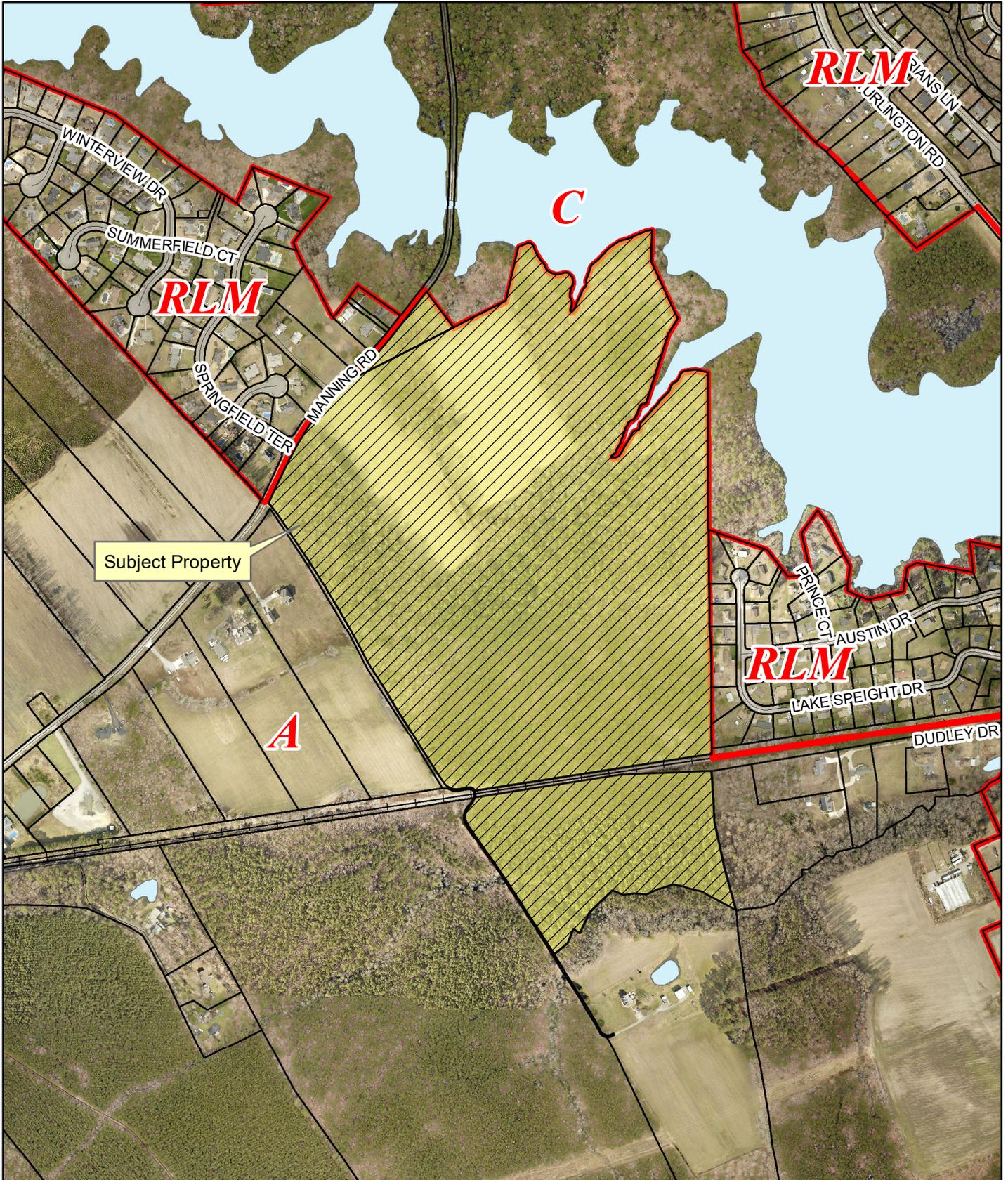
User Name: Awood
Date: 05/03/2022





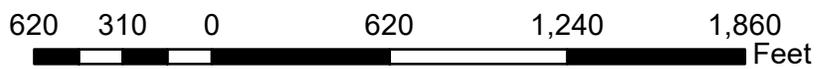
ZONING / LAND USE MAP

RZN2022-007



Subject Property

User Name: Awood
Date: 05/03/2022



ELLIS FARM – MANNING ROAD

2) Narrative of Proposed Uses – 7/29/2022

Manning Road Development Group, L.L.C., the Applicant for RZN2022-000, proposes revision of the subject parcels comprising approximately 114 acres, to Residential Light Medium (RLM) zoning.

The parcels are bounded on the west by property zoned (A) Agricultural, on the north by properties zoned (RLM) Residential Light Medium, on the east by properties zoned (RLM) Residential Light Medium, and on the south by property zoned (A) Agricultural. Several hundred feet of the subject property borders on Lake Kilby, with the City of Portsmouth owning lengths of shoreline.

The Applicant requests amendment of the existing zoning for both parcels to RLM (Residential Light Medium). The proposed RLM zoning allows 2.9 dwelling units per acre where adequate public facilities are available, as is the case along Manning Road. As is indicated in the purpose statement for RLM zoning, the district is designed to allow for development of single family detached dwellings. The proposed project will consist of approximately 300 single family detached dwellings and community amenities such as (but not limited to) parks, common area open spaces, and a walking trail.

ELLIS FARM MANNING RD REZONING

3) Statement of the reasons for seeking such amendment and why the current zoning is incorrect:

The parcels which are the subject of this rezoning are in the Suburban Use District as defined by the City of Suffolk 2035 Comprehensive Plan and should be primarily composed of traditional residential subdivisions (p26). Applicable place types are the Traditional Neighborhood and the Suburban Neighborhood (p26). The proposed neighborhood will contribute to the need for varied housing types proximate to a major employment center and downtown Suffolk and will consist of single family detached homes. Suburban Neighborhoods by definition include public spaces such as parks, playgrounds, and schoolyards (pgs33, 60-62). RLM zoning fits within the Suburban Neighborhood place type (UDO A4 SEC 31-404). Shown in the conceptual plan, and defining of the Suburban Neighborhood place type, the lot configuration, streetscapes with public spaces, and consistent but flexible product type have all been taken into account to fit the vision for the future of Suffolk (pgs33, 60-62).

THEMES POLICIES & ACTIONS (p29)

Policy 2-1: Keep development focused in designated Growth Areas in the City.

- Action 2-1A: Ensure that the City's land use regulations support higher density/intensity development in focused Growth Areas.
- Action 2-1D: Consider amending the City's land use regulations to add guidelines for the review of exceptional development opportunities related to factors such as: the level of overall economic benefit to the City; adequacy of public facilities; compatibility with surrounding land uses; and advancement of the principles, values, and themes of the 2035 Comprehensive Plan.

Policy 2-2: Assure that development occurs in a predictable and orderly manner.

- Assess the City's zoning framework to identify locations where the City's current regulations do not reinforce the intent and spirit of the comprehensive plan, particularly for locations within the Growth Areas.

Policy 2-4: Promote compatibility in land use patterns.

- Action 2-4D: Consider allowing higher density residential development than that prescribed in the 2035 Comprehensive Plan in certain areas of the Suburban Use District where transportation corridors and infrastructure are already established and where the proposed use is compatible with adjacent uses and the established development pattern.

UDO ARTICLE 4 SEC. 31-403 RELATION OF ZONING DISTRICTS TO THE COMPREHENSIVE PLAN AND PURPOSE STATEMENTS

RLM (RESIDENTIAL LOW-MEDIUM DENSITY). {shortened} To provide areas for low-medium density, single-family residential uses {...}. Residential low-medium density provides a flexible minimum and maximum lot size in order to allow for market and design flexibility while preserving the neighborhood character {...}. ***RLM zoning is most appropriate for the Suburban Use District.*** Applicable Place Types***: Traditional Neighborhood Center, Traditional Neighborhood, Suburban Neighborhood, Corridor, and Special District.

***Note: Design elements of residential place types other than Suburban Neighborhood lend to higher density projects (shorter setbacks, alley loading single family detached products, and block site patterns; pgs44-65 "Place Types; Implementation Guidelines")

WHY THE CURRENT ZONING IS INCORRECT

Holland Road and its intersection with Manning Road are currently the subject of a 3.1 mile widening project on Route 58 / Holland Road Corridor, a government funded project which will dramatically improve traffic flows in this transportation thoroughfare including signalization at this intersection. This project supports the primary City theme to keep rezonings within its specified focused growth area, encouraging predictable and orderly development in residential areas with an auto-orientation. Additionally, location of residential housing near attractive family centers such as

the Downtown area, jobs at the intermodal commerce park, and schools further Suffolk's goals to limit by colocation of home, work and service areas. Almost three quarters of Suffolk's housing stock is in excess of 20 years old (p153). As the City has provided assistance in bringing business and jobs to the City, we are seeking to satisfy the parallel demand for housing this influx of taxpayers. In review of commercial and residential realty marketing and promotional materials, as well as discussing with those realtors, the major component missing in the immediate area that everyone is seeking are diverse housing options for clients. "{Suburban Neighborhoods} may abut Suburban Centers, other Neighborhoods, or farmland, and major thoroughfares often define their edges.(p60)" Given the immediately adjacent land use, this new neighborhood will be compatible with existing zoning, consistent with the City's focused growth theme and its policy of efficient land use.

**CONCEPTUAL MASTER PLAN
CLUSTER LAYOUT**

SITE DATA:
 SINGLE FAMILY LOTS (60'x120' LOTS)
 TOTAL LOTS: 300
 TOTAL SITE AC: 114.4 AC
 TOTAL CRITICAL AC: 8.5 AC
 TOTAL DEVELOPABLE AC: 105.9 AC

RLM DUA: 2.9
 PROPOSED DUA: 2.8

REQUIRED OPEN SPACE: 51.5 AC (45%)
 PROPOSED OPEN SPACE: 44.6 AC
 OPEN SPACE FROM CRITICAL AREA: 6.9 AC
 TOTAL PROPOSED OPEN SPACE: 51.5 AC (45%)

SWM: 4.2 AC
 IMPACTED WETLANDS: 0.29 AC

	OPEN SPACE
	WETLANDS
	IMPACTED WETLANDS



ORDINANCE NO.

AN ORDINANCE TO REZONE AND AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUFFOLK TO CHANGE THE ZONING FROM A, AGRICULTURAL ZONING DISTRICT, TO RLM, RESIDENTIAL LOW-MEDIUM DENSITY ZONING DISTRICT (CONDITIONAL), FOR PROPERTY LOCATED AT 494 MANNING ROAD; ZONING MAP 33, PARCELS 75 AND 75A; ACCOUNT NUMBERS 151078000 AND 151069000; RZN2022-007 (CONDITIONAL)

WHEREAS, Bob Arnette, Manning Road Development Group, LLC, applicant, on behalf of Coastal Virginia Partners, LLC, contract purchaser, on behalf of Ellis Freehold LLC, property owner, has requested to rezone and amend the official zoning map of the City of Suffolk from A, Agricultural zoning district, to the RLM, Residential Low-Medium Density zoning district (Conditional), for property located at 494 Manning Road, Zoning Map 33, Parcels 75 and 75A, which land is depicted on Exhibit "C"; and,

WHEREAS, the proposed rezoning and amendment to the official zoning map have been advertised and reviewed by the Planning Commission in compliance with the requirements of state law; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A"; and,

WHEREAS, a public hearing before City Council was duly advertised as required by law and held on October 19, 2022, at which public hearing the public was presented with the opportunity to comment on the proposed rezoning.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Voluntary Proffer Statement", and Exhibit "C", "Property Map," and Exhibit "D," "Rezoning Exhibit", which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

A. Council finds that the proposed rezoning is reasonable and warranted due to a change in circumstances affecting the property, and has considered the following factors and finds that the proposed rezoning does not conflict with:

1. the existing use and character of property within the City;
2. the Comprehensive Plan;
3. the suitability of the property for various uses;
4. the trends of growth or change;

5. the current or future requirements of the community as to land for various purposes as determined by the population and economic studies and other studies;
6. the transportation requirements of the community;
7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;
8. the conservation of natural resources;
9. the preservation of flood plains;
10. the preservation of agricultural and forestal land;
11. the conservation of properties and their values;
12. the encouragement of the most appropriate use of land throughout the City; and
13. the expressed purpose of the City's Unified Development Ordinance as set out in Section 31-102 of the Code of the City of Suffolk (1998), as amended, and Section 15.2-2283 of the Code of Virginia (1950), as amended ("Va. Code").

B. The Suffolk City Council makes the following specific findings to the conditions of the rezoning:

1. the proposed rezoning itself gives rise to the need for the proffered conditions;
2. the proffered conditions have a reasonable relationship to the rezoning; and
3. the proffered conditions are in conformity with the 2035 Comprehensive Plan as adopted by City Council on April 1, 2015.

Section 3. Rezoning.

1. The conditions proffered in the attached Exhibit "B" be, and they are hereby, accepted.
2. The property as shown on the attached Exhibit "C" is hereby, conditionally rezoned and the official zoning map be, and it is hereby, amended from A, Agricultural zoning district, to the RLM, Residential Low-Medium Density zoning district (Conditional).
3. The foregoing rezoning and amendment to the official zoning map are

expressly made subject to the performance of the conditions hereby proffered and accepted and these conditions shall remain in effect until a subsequent amendment changes the zoning of the property; however, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

Section 4. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of the Circuit Court of the City of Suffolk, Virginia.

This ordinance shall be effective upon passage and shall not be published or codified.

READ AND PASSED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

William E. Hutchings, Jr., City Attorney

EXHIBIT “A”

RESOLUTION NO. 22-09-01

CITY OF SUFFOLK PLANNING COMMISSION

**A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION
TO CITY COUNCIL RELATING TO REZONING REQUEST
RZN2022-007 (CONDITIONAL)
TO CHANGE THE ZONING FROM A, AGRICULTURAL ZONING
DISTRICT, TO RLM, RESIDENTIAL LOW-MEDIUM DENSITY ZONING
DISTRICT (CONDITIONAL), FOR PROPERTY LOCATED AT ZONING
MAP 33, PARCELS 75 AND 75A; ACCOUNT NUMBERS 151078000 AND
151069000; RZN2022-007 (CONDITIONAL)**

WHEREAS, Bob Arnette, Manning Road Development Group, LLC, applicant, on behalf of Coastal Virginia Partners, LLC, contract purchaser, on behalf of Ellis Freehold LLC, property owner, has requested to change the zoning from A, Agricultural zoning district, to RLM, Residential Low-Medium Density zoning district (Conditional); and

WHEREAS, the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

- A. The Suffolk Planning Commission finds that the proposed rezoning is reasonable, and warranted due to change in circumstances affecting the property, and has considered the following factors and finds that the proposed rezoning does not conflict with:
1. the existing use and character of property within the City;
 2. the Comprehensive Plan;
 3. the suitability of the property for various uses;
 4. the trends of growth or change;
 5. the current or future requirements of the community as to land for various purposes as determined by the population and economic studies and other studies;
 6. the transportation requirements of the community;
 7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;

8. the conservation of natural resources;
9. the preservation of flood plains;
10. the preservation of agricultural and forestal land;
11. the conservation of properties and their values;
12. the encouragement of the most appropriate use of land throughout the City; and
13. the expressed purpose of the City’s Unified Development Ordinance as set out in Section 31-102 of the Code of the City of Suffolk (1998), as amended, and Section 15.2-2283 of the Code of Virginia (1950), as amended (“Va. Code”).

B. The Suffolk Planning Commission makes the following specific findings to the conditions of the rezoning:

1. the proposed rezoning itself gives rise to the need for the proffered conditions;
2. the proffered conditions have a reasonable relationship to the rezoning; and
3. the proffered conditions are in conformity with the 2035 Comprehensive Plan as adopted by City Council on April 1, 2015.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, RZN2022-007 (Conditional), be:

- _____ a) Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.
- _____ b) Denied, and that Council not adopt the proposed Ordinance.
- _____ c) Granted with the modifications set forth on the attached listing of specific recommendations and that Council adopt the proposed Ordinance with such modifications.

READ AND PASSED: _____

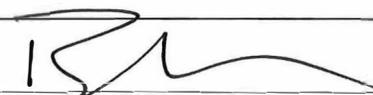
TESTE: _____

VOLUNTARY PROFFER STATEMENT

I hereby voluntarily proffer that the development of the property owned by me proposed for reclassification under this application shall be in strict accordance with the conditions set forth below.

The following conditions (add additional sheets if necessary) are voluntarily proffered for the reclassification of property identified as Tax Map Number(s): 33*75, 33*75A

- 1) The students generated by this development will be assigned to Kilby Shores Elementary school, Forest Glen Middle School and Lakeland High School. The calculated impact of students generated and value of cash proffer contribution shall be based upon the current enrollment and committed development as of the last day of the month of the date of this application is deemed complete and acceptable by the City of Suffolk. The proposed rezoning estimate net impact of 53 elementary school students, 29 additional middle school students, and 39 additional high school students. The Capital Improvements Program (FY 2022-2031) projects will allow cash proffers to be paid to advance of capacity at the elementary and middle school levels. The property owner shall make a cash contribution to the City of Suffolk to advance capacity at the elementary and middle school levels only. Based upon the estimated cost, to advance capacity at the elementary school level is \$35,900.55 per student and middle school level (\$42,065.60, a cash contribution of \$6,342.43 per housing unit (elementary school) and \$4,066.34 per housing unit (middle school) shall be paid prior to issuance of a Certificate of Occupancy. The estimated total proffer is \$1,902,729.25 (elementary school) and \$1,219,902.40 (middle school).

Applicant Signature: 

Date: 8/29/22

Printed Name: Bob Amette

Tax Map Number: 33*75, 33*75A

Property Owner Signature: _____

Date: _____

Printed Name: _____

Tax Map Number: _____

Property Owner Signature: _____

Date: _____

Printed Name: _____

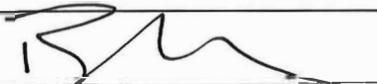
Tax Map Number: _____

VOLUNTARY PROFFER STATEMENT

I hereby voluntarily proffer that the development of the property owned by me proposed for reclassification under this application shall be in strict accordance with the conditions set forth below.

The following conditions (add additional sheets if necessary) are voluntarily proffered for the reclassification of property identified as Tax Map Number(s): 33*75, 33*75A

- 2) No more than 300 single family detached units shall be constructed with this project
- 3) All units shall have a crawl space or raised/elevated slab foundation
- 4) The property owner shall make road improvements as outlined in the approved Traffic Impact Study (TIS), prepared by Charles Smith, P.E., PTOE EPR, Updated June 2022. All road improvements proffered shall be completed or bonded before the first certificate of occupancy
- 5) Materials for the front, sides and rear of the homes shall be brick veneer, stone, cement-based siding, high quality vinyl siding, cement-fiber board siding (i.e. LP "Smartside or approved equal). Vinyl siding shall be a minimum of 0.044 inch thick and may be overlapped or beaded siding
- 6) Roofing shall be copper, metal or fiberglass architectural style shingles which must carry minimum 25-year warranty

Applicant Signature: 
Printed Name: Bob Arnette
Tax Map Number: 33*75, 33*75A

Date: 8/29/22

Property Owner Signature: _____
Printed Name: _____
Tax Map Number: _____

Date: _____

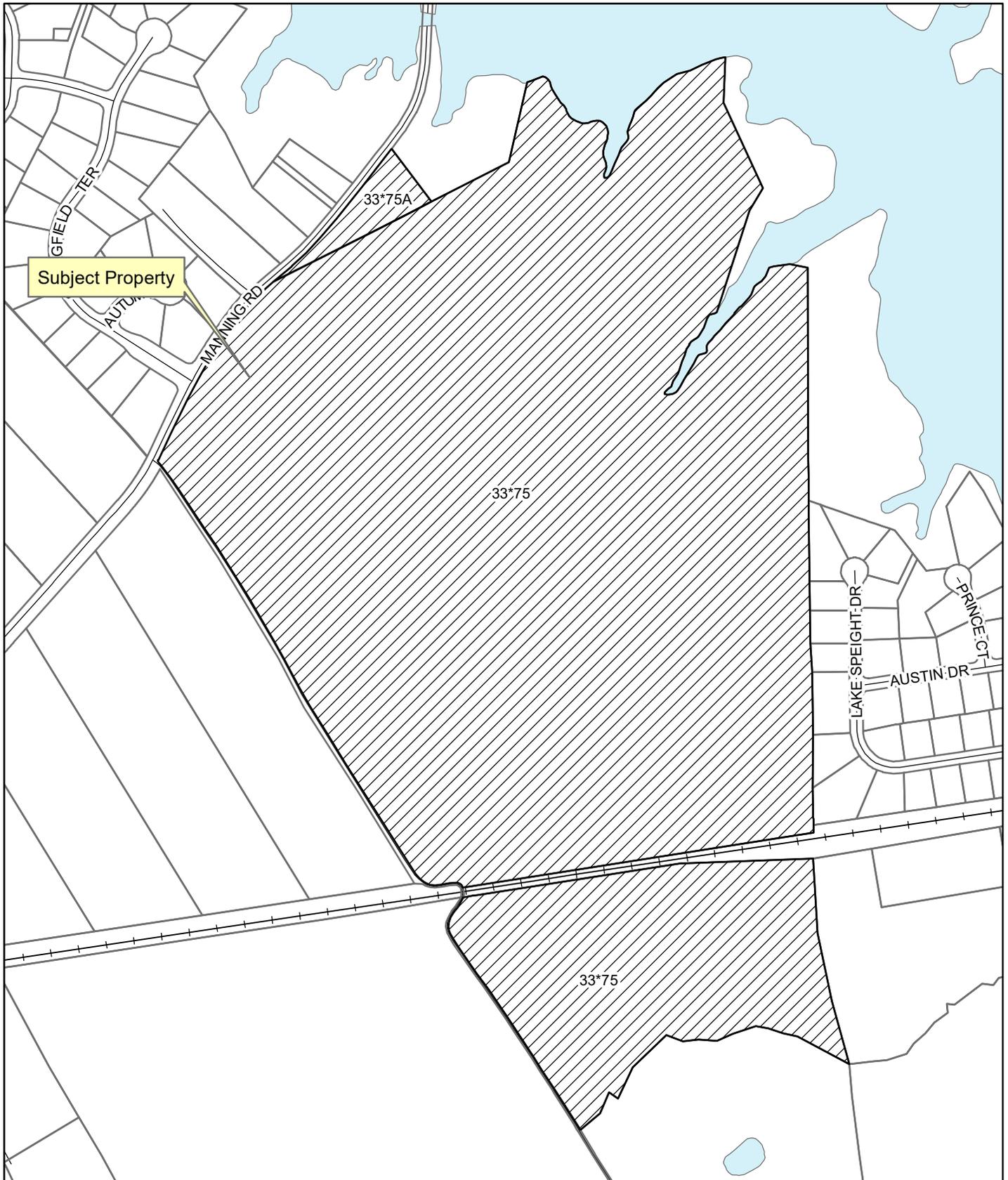
Property Owner Signature: _____
Printed Name: _____
Tax Map Number: _____

Date: _____



PROPERTY MAP RZN2022-007

EXHIBIT C



User Name: Awood
Date: 05/03/2022



I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, IS CORRECT AND COMPLES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND CERTIFIED LANDSCAPE ARCHITECTS.

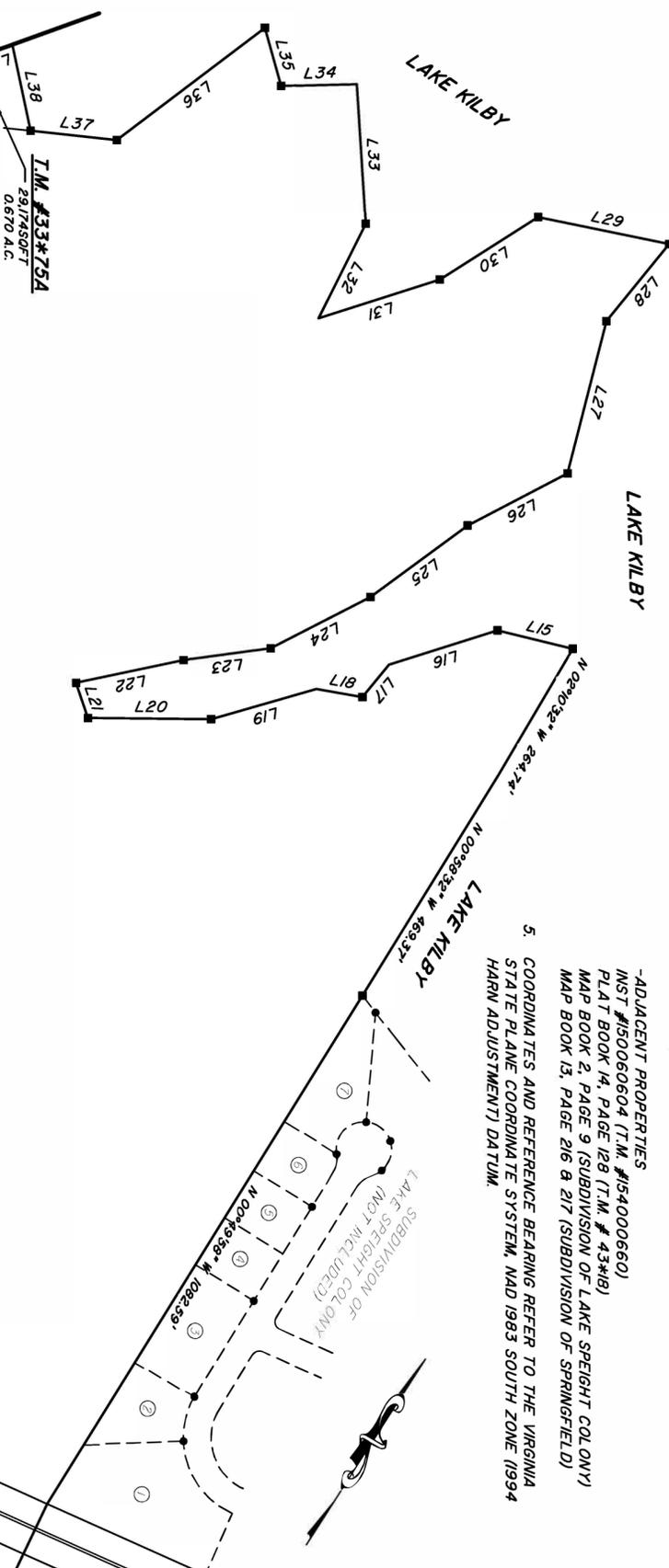
SIGNED: *[Signature]*
TIMOTHY M. FALLON, VA L.S. No. 006659 DATE 04-27-2022



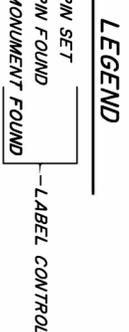
NOTES

- TOTAL AREA = 113.297 ACRES
- THE PROPERTY ENCOMPASSED BY THIS SUBDIVISION APPEARS TO LIE IN FLOOD ZONE 'X', AREA OUTSIDE 500-YEAR FLOODPLAIN AND FLOOD ZONE 'A', AREA OF SPECIAL FLOOD HAZARD, AS SHOWN ON COMMUNITY PANEL No. 510156 0210D, DATED 11-16-2011.
- HIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND CONSEQUENTLY MAY NOT DEPICT ALL MATTERS AFFECTING THE TITLE OF THE PROPERTY SHOWN.
- PLAT REFERENCES
PLAT BOOK 1, PAGES 104 A-D
- ADJACENT PROPERTIES
INST #150060604 (T.M. #154000660)
PLAT BOOK 14, PAGE 128 (T.M. #43*18)
MAP BOOK 2, PAGE 9 (SUBDIVISION OF LAKE SPEIGHT COLONY)
MAP BOOK 13, PAGE 216 & 217 (SUBDIVISION OF SPRINGFIELD)
- COORDINATES AND REFERENCE BEARING REFER TO THE VIRGINIA STATE PLANE COORDINATE SYSTEM, NAD 1983 SOUTH ZONE (1994 HARN ADJUSTMENT) DATUM.

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	10°32'00"	1050.78'	193.17'	96.86'	192.90'	N 44°20'27" E
C2	116°53'50"	618.96'	128.23'	64.46'	128.23'	S 42°36'56" W
C3	2°50'44"	3169.83'	157.43'	78.73'	157.41'	S 33°52'27" W
C4	5°55'21"	1520.35'	157.16'	78.55'	157.09'	S 28°39'54" W

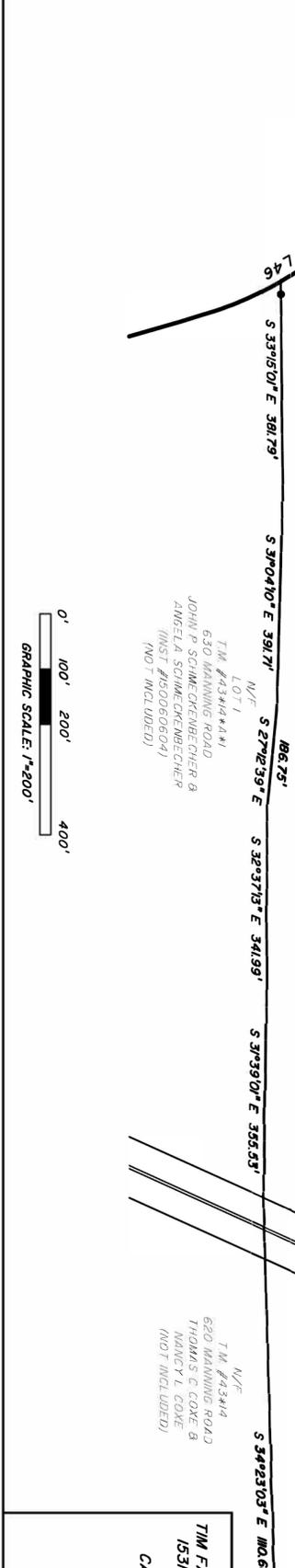


LINE	BEARING	DISTANCE
L1	N 62°24'59" E	35.67'
L2	N 23°55'41" E	68.68'
L3	N 80°00'07" E	27.49'
L4	N 24°09'45" E	75.46'
L5	N 44°45'24" E	37.25'
L6	N 33°53'33" E	26.99'
L7	N 43°13'46" E	86.99'
L8	N 73°15'40" E	86.78'
L9	S 81°10'08" E	50.44'
L10	N 66°36'30" E	75.14'
L11	N 60°31'44" E	148.23'
L12	S 81°26'33" E	74.33'
L13	N 74°34'46" E	47.21'
L14	N 75°52'31" E	140.46'
L15	S 70°58'05" W	206.42'
L16	S 39°49'11" W	75.86'
L17	S 08°37'37" W	84.69'
L18	S 67°13'01" W	223.39'
L19	S 4°20'39" W	67.23'
L20	S 57°51'00" W	199.30'
L21	N 51°34'24" W	204.17'
L22	N 43°22'52" E	284.40'
L23	N 49°40'32" E	242.62'
L24	N 30°06'05" E	210.97'
L25	N 21°01'20" E	230.59'
L26	N 29°47'28" E	191.09'
L27	N 18°20'56" W	253.08'
L28	N 06°31'13" E	137.74'
L29	S 68°53'20" W	109.01'
L30	S 24°53'55" W	336.64'
L31	S 39°39'13" W	157.13'
L32	N 06°09'33" W	159.22'
L33	N 36°16'15" W	108.24'
L34	S 55°56'13" W	103.82'
L35	N 48°21'08" W	7.42'
L36	S 20°33'20" W	17.90'
L37	S 63°23'44" W	105.46'
L38	N 44°46'16" W	27.08'
L39	S 37°28'28" W	218.16'
L40	S 39°25'17" W	3.20'
L41	S 39°08'56" W	103.82'
L42	S 40°06'20" W	105.46'
L43	S 49°43'56" W	27.08'
L44	S 36°48'12" W	218.16'
L45	S 25°41'09" W	3.20'
L46	S 26°40'32" W	3.20'



AREA TABLE

PARCEL #	ACCOUNT NO.	AREA
T.M. 33*75A	151069000	29,174 SQFT 0.670 AC.
T.M. 33*75	151078000	4,103,632 SQFT 94,206 AC.
(NORTH OF RAILROAD ESMT.)		
T.M. 33*75	151078000	802,433 SQFT 18,421 AC.
(SOUTH OF RAILROAD ESMT.)		



TIM FALLON LAND SURVEYING, PLLC
15314 CARROLL TON BOULEVARD
P.O. BOX 189
CARROLL TON, VIRGINIA, 23314

DRAWN BY:	DATE:
MAD/DPM	04-27-2022
COMP BY:	DATE:
T.M.F.	04-27-2022
CHECKED BY:	DATE:
T.M.F.	04-27-2022
FINAL BY:	DATE:
T.M.F.	04-27-2022
PROJECT #	22030

BOUNDARY SURVEY OF PARCEL ID 33*75 & 33*75A FOR COSTAL VIRGINIA DEVELOPERS, LLC

SCALE: 1" = 200' DATE: 04-27-2022 SHEET 1 OF 1